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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,) No. CR-11-00291 SBA
11 Plaintiff,)
12 v.) ORDER GRANTING STIPULATED
13 GARY CLAYTON RONDEAU,) REQUEST TO CONTINUE CHANGE OF
14 Defendant.) PLEA AND SENTENCING TO
15) NOVEMBER 9, 2011 AND TO EXCLUDE
16) TIME UNDER THE SPEEDY TRIAL ACT
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Date: October 19, 2011
Time: 10:00 a.m.
Court: Hon. Sandra Brown
Armstrong

18 The parties jointly requested that the change of plea and sentencing hearing in this matter
19 set for October 19, 2011 be continued to November 9, 2011 at 3:00 p.m. The parties further
20 requested that time be excluded pursuant to the Speedy Trial Act between September 13, 2011
21 and November 9, 2011 for (1) effective preparation of counsel, taking into account the exercise
22 of due diligence, and (2) for consideration by the Court of a proposed plea agreement to be
23 entered into by the defendant and the attorney for the government.

24 The parties previously submitted a proposed plea agreement for the Court's
25 consideration. Accordingly, in order to allow time for the Court to consider the proposed plea
26 agreement and the Pre-Plea Presentence Investigation Report ("PSR"), the parties stipulated and
27 agreed that the time between September 13, 2011 and November 9, 2011 should be excluded
28 pursuant to the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for

STIP. REQ. TO CONTINUE CHANGE OF PLEA & SENTENCING
TO NOVEMBER 9, 2011 & TO EXCLUDE TIME
No. CR-11-00291 SBA

1 consideration by the Court of a proposed plea agreement to be entered into by the defendant and
2 the attorney for the government. Defendant continues to agree that the Court may review the
3 PSR even though he has not yet pleaded guilty.

4 Additionally, in light of the parties' need to review and respond to the PSR, the parties
5 agreed the ends of justice served by granting the continuance outweigh the best interests of the
6 public and defendant in a speedy trial. Therefore, the parties further stipulated and requested
7 that the Court exclude time between September 13, 2011 and November 9, 2011 pursuant to the
8 Speedy Trial Act for effective preparation of counsel and pursuant to 18 U.S.C. §§
9 3161(h)(7)(A) and (B)(iv).

10 Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(1)(G) and
11 3161(h)(7)(A) and (B)(iv),

12 **IT IS HEREBY ORDERED** that this matter is continued to November 9, 2011 at 3:00
13 p.m. for change of plea and sentencing, and that time between September 13, 2011 and
14 November 9, 2011 is excluded pursuant to the Speedy Trial Act, and specifically pursuant to (1)
15 18 U.S.C. § 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement to be
16 entered into by the defendant and the attorney for the government, and (2) 18 U.S.C. §§
17 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel.

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19 DATED: 9/14/11


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge